

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Alfredo Gonzalez	Team: Squad #7	CCRB Case #: 201410480	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 10/12/2014 4:20 AM	Location of Incident: Murdock Avenue and Farmers Boulevard; 113th Precinct stationhouse		Precinct: 113	18 Mo. SOL 4/12/2016	EO SOL 4/12/2016
Date/Time CV Reported Sun, 10/12/2014 5:36 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Sun, 10/12/2014 5:36 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Keith Donahue	25492	947740	113 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. LT Clarence Hopkins	00000	930367	113 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Keith Donahue	Abuse: At Murdock Avenue and Farmers Boulevard in Queens, PO Keith Donahue refused to provide his name and shield number to § 87(2)(b) [REDACTED]	[REDACTED]

Case Summary

On October 12, 2014, at approximately 4:20 a.m., PO Keith Donahue and Lt. Clarence Hopkins stopped § 87(2)(b) vehicle at Murdock Avenue and Farmers Boulevard in Queens and issued him a summons for reckless driving. During their interaction, § 87(2)(b) alleged that he requested PO Donahue's name and shield number, but PO Donahue did not provide the information (**Allegation A**). Approximately one hour later, § 87(2)(b) entered the 113th Precinct stationhouse and attempted to file a complaint against both officers; however, he was commanded to leave the stationhouse by Lt. Hopkins before being able to file a complaint (encl. B1-6, C1-10).

Mediation, Civil, and Criminal Histories

This case was originally sent to mediation; however, PO Donahue and Lt. Hopkins declined to participate (encl. H8-9). The Notice of Claim for this incident has been requested and will be included in the case file upon its receipt (encl. G6). § 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)] (encl. G1-5).

Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b) (encl. A3).
- PO Donahue has been a member of the NYPD for six years. He has had one prior CCRB case in which the complaint was withdrawn (encl. A1).

Findings and Recommendations

Explanation of Subject Officer Identification

PO Donahue's tax number was listed on the summons issued to § 87(2)(b) and § 87(2)(b) accurately described him. Additionally, PO Donahue acknowledged interacting with § 87(2)(b) during the car stop, whereas Lt. Hopkins did not.

Allegations Not Pleaded

Abuse: § 87(2)(b) alleged that Lt. Hopkins prevented him from filing a complaint while at the 113th Precinct stationhouse. § 87(2)(g)

Both Lt. Hopkins and PO Donahue provided consistent testimony that § 87(2)(b) was already in the stationhouse when they arrived. They also gave consistent testimonies in regards to § 87(2)(b) irate behavior and his use of profanity against them during his presence in the stationhouse (encl. D9-10; encl. E7-8). Additionally, § 87(2)(b) acknowledged that PO Greene, the T.S. Operator at the time and the person that assisted him, did not refuse to file his complaint during his brief time in the stationhouse (encl. C4). § 87(2)(g)

Allegation A - Abuse of Authority: PO Donahue refused to provide his name and shield number.

§ 87(2)(b) alleged that PO Donahue refused to provide his name and shield number upon request. § 87(2)(b) stated that as PO Donahue handed him the summons, he requested his name and shield number. PO Donahue did not respond verbally to § 87(2)(b) request and simply walked back to the unmarked patrol car. A male individual known to the investigation

only as § 87(2)(b) was in the passenger's side and likely witnessed this interaction. Attempts to obtain a statement from § 87(2)(b) however, were unsuccessful (encl. I3).

PO Donahue denied that § 87(2)(b) ever requested his name and shield number during the vehicle stop (encl. D9-10). PO Donahue stated, however, that § 87(2)(b) behavior changed dramatically once he received the summons; he began to yell, curse, and scream at PO Donahue. PO Donahue did not react to § 87(2)(b) behavior and simply walked back to his vehicle. PO Donahue also stated that § 87(2)(b) stuck out his middle finger at the officers as he departed.

Lt. Hopkins stood by the passenger's side of § 87(2)(b) vehicle and could not clearly hear the interaction between PO Donahue and § 87(2)(b) but he stated that he did not hear § 87(2)(b) request PO Donahue's name and shield number at any point during the car stop (encl. E7-8). Lt. Hopkins confirmed that § 87(2)(b) demeanor changed after he received the summons and that § 87(2)(b) stuck out his middle finger at them as they departed.

§ 87(2)(g)

Team: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date